JAN 10 1975

CIA Reportedly Sought to Destroy Domestic Files

Washington

Officials of the Central Intelligence Agency's counterintelligence division unsuccessfully sought authority last fall to destroy illegal domestic files on nearly 10,000 American citizens because they feared the newly liberalized Freedom of Information Act, well-placed sources said yesterday.

The sources said that the effort to gain official sanction for the destruction of the files was a direct result of Congress' amending the act to permit judicial review of secret documents.

The obvious fear, sources said, was that a court suit brought under the legislation would disclose the existence of the executive secret domestic file system.

As initially enacted by Congress, the disclosure legislation automatically barred material classified as secret from any review.

The information about the CIA's attempt to destroy the domestic files was obtained yesterday by the New York Times after syndicated columnist Jack Anderson and the Washington Post published dispatches yesterday morning suggesting that the civilian dossiers had been routinely supplied to the CIA by the Justice Department in 1970.

Justice Department officials said yesterday evening, however, that they had been informed that the CIA had not made anly use of the 1970 files and had destroyed them.

The Times' sources further reaffirmed that the CIA's counter-intelligence division had maintained its own file system on American citizens.

The sources said that the CIA request for permission to destroy the documents was made by a low-echelon employee who had direct control over the domestic file system. The request was made to the CIA legal office, the sources said, which reviewed the matter and determined that the files had to be maintained.

The person who initiated the request did not do so on his own, one well-informed source said, but he had been told to find ways to destroy the files.

No past or present CIA official could be found yesterday who would discuss the concern within the agency last fall about its domestic files on Americans.

But a source close to James J. Angelton, the former chief of counterintelligence whose retirement became known on December 23, said that the whole question of files was examined late last year. This source said that concern about the files arose inside the counterintelligence division

New York Times